

ENTERED

March 17, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ANDRE KIMBLE,

Petitioner,

VS.

LORIE DAVIS,

Respondent.

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CIVIL ACTION NO. 2:19-CV-201

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

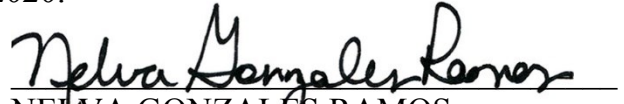
On February 3, 2020, United States Magistrate Judge Jason B. Libby issued his “Memorandum and Recommendation” (D.E. 17), recommending that Respondent’s Motion for Summary Judgment (D.E. 13) be granted and that this action be dismissed. The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 17), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the

findings and conclusions of the Magistrate Judge. Accordingly, the motion for summary judgment (D.E. 13) is **GRANTED** and this action is **DISMISSED WITH PREJUDICE**. In the event that Petitioner requests a Certificate of Appealability, that request is **DENIED**.

ORDERED this 17th day of March, 2020.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE